


FILED

for Roanoke  
JAN - 2 2014

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

GREGORY D. GRAVES,  
Petitioner,

Civil Action No. 7:13-cv-00486

v.

**ORDER**

COMMONWEALTH,  
Respondent.

By: Hon. Jackson L. Kiser  
Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is now

**ORDERED**

that Petitioner's petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED without prejudice**; Petitioner's motion to proceed in forma pauperis is **DENIED as moot**; a Certificate of Appealability is **DENIED**; and this action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to Petitioner.

ENTER: This 2nd day of January, 2014.

  
Senior United States District Judge